

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 25-20103-CR-MIDDLEBROOKS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRETT THOMAS GRAHAM,

Defendant.

OBJECTIONS TO DRAFT PRESENTENCE INVESTIGATION REPORT

Brett Thomas Graham, by and through undersigned counsel, files the following factual corrections/objections to the draft Presentence Investigation Report (PSI) (DE 43). None of the following affect the advisory sentencing guideline range.

I. Identifying Data

PSI page 3:

- Mr. Graham's updated Florida Driver's License number is G601-688-27-300-0
- His updated address is 1250 Ocean Drive Unit 3F in Miami Beach, Florida 33139
- The inclusion of the listed alias, "Brettthom A. Graham," as Mr. Graham is unfamiliar with this "alias."

PSI ¶ 8 – Pretrial Release: Paragraph 8 states that a condition of Mr. Graham's pretrial release was participation in the location monitoring program. The Court granted Mr. Graham's unopposed motion to remove location monitoring as a condition of his pretrial release on July 10, 2025. (DE 36).

PSI ¶ 12 – Former Employment: Paragraph 12 states that Mr. Graham applied to the SEC for reinstatement, and the application was denied. However, Mr. Graham requested that the SEC modify its Order, as opposed to applying for reinstatement. The SEC declined to alter the terms of the settlement.

III. Part B

PSI ¶¶ 53, 54 – Other Criminal Conduct: Paragraphs 53 and 54 encompass the same incident. On July 19, 2025, Mr. Graham was pulled over by police, and cited for driving with his license suspended (financial), failure to provide proof of insurance, and failure to change address within ten days. His license has since been reinstated, he obtained proof of insurance, and corrected his address.

IV. Part C

PSI ¶¶ 56, 58 – Family: The dates and specific locations are corrected as follows: his parents separated around 1969, but reunited in 1971. The family moved from New York to California in 1972 or 1973. Within a year of the move, his father separated from his mother and moved in with his girlfriend. From that point forward, his father was an intermittent presence in his life.

Paragraph 58 discusses finances during his childhood. When his parents separated the second (final) time, his father stopped providing financial support to the family. His mother began working outside the home, and borrowed from family and friends in an effort to support herself and her children.

PSI ¶ 60 – Relationships: Paragraph 60 details his 20-year relationship with his ex-partner, Ms. Barr. It states that “if it were not for the Court order, they would still be together.” However, Mr. Graham and Ms. Barr did not break up due to the court order; rather, they broke up as his financial image crumbled and his circumstances dramatically shifted.

PSI ¶ 61 – Locations: Paragraph 61 details where Mr. Graham has resided. He lived in New York until 1972 or 1973, and then lived in California until 1985. He again lived in New York from 1985 through 1990. He moved to Paris from 1990 to 1992, and London from 1992 to 2001. He returned to New York in 2001, and stayed until 2020. He then moved to Miami in 2020.

PSI ¶ 63 – Travel: In the last ten years, Mr. Graham has traveled to Western Europe, Africa, Dubai, the Caribbean, Argentina, and Ecuador.

PSI ¶ 65 – Physical Health: Paragraph 65 addresses Mr. Graham’s physical health, including his cardiac surgeries. He does not suffer from blockage of arteries, but rather suffers from aortic regurgitation.

In early 2018, Mr. Graham was diagnosed with Aortic Valve Insufficiency at Mayo Clinic. Tests revealed severe leakage (~50%) requiring eventual surgical intervention. He received open heart surgery in May 2018 at Mount Sinai Hospital. The valve leakage was reduced but had not stopped. He was placed on blood pressure medication to slow the rate of deterioration of the valve leakage. This affected his energy, memory, and behavior.

In early 2022, further tests from Mount Sinai Medical Center showed worsening valve leakage. A second open heart surgery was required. This was conducted in September 2023 at Mount Sinai Hospital. They replaced his aortic valve with a bovine valve and this operation was successful. Mr. Graham has since been medication-free and has a clean bill of cardiac health.

Undersigned counsel is providing Probation with medical records to supplement the above summary.

PSI ¶ 67 – Mental Health: Paragraph 67 details an incident that resulted in being Baker Acted in early December of 2024. This was due to a suicide attempt. He was kept in the hospital from December 3 through 12 under a name different from his own: Thomas Brittagram.

PSI ¶ 72 – Education: Paragraph 72 misstates what high school he graduated from; he graduated from University High School in San Francisco.

PSI ¶¶ 73, 74 – Employment: Since 2015, Mr. Graham has worked as a private investor. His accounts have been provided to the government (via the financial disclosure) and USPO (during the interview).

Vertical Capital was headquartered in New York City, not Atlanta. The average monthly revenue was approximately \$2,000,000, not \$5,000,000.

Paragraph 75 states that Mr. Graham was employed as the director of a company called Laureus Sport for Good Foundation USA. Mr. Graham is unaware of this company, and has never been employed by them.

PSI ¶¶ 76, 78, 81 – Finances: Paragraph 76 states that Mr. Graham provided “no additional information regarding his employment history and/or information as to how he has supporting himself.” During the interview with Probation, Mr. Graham stated that he has been supporting himself with the help of friends, and has been selling clothes online. He is currently doing consignment work; Poshmark sends him clothes, and he researches prices and sells the clothes online.

Regarding paragraphs 78 and 81, Mr. Graham does not have \$2,200,000 worth of jewelry located in his residence. He has since sold the referenced paintings to pay for rent and other necessities.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I HEREBY certify that on **August 29, 2025**, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Elizabeth Blair
Elizabeth Blair